



Snohomish County
Executive's Office

Aaron Reardon
County Executive

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September 2, 2008

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3000 Rockefeller Avenue
Everett, WA 98201-4046

Rachel McCrea
Municipal Stormwater Specialist
Washington State Department of Ecology
Northwest Regional Office
3190 – 160th Avenue Southeast
Bellevue, WA 98008-5452

DEPT OF ECOLOGY

Subject: Phase 1 NPDES Municipal Stormwater Permit
Notification of Inability to Comply In Accordance With Permit Condition G20

Dear Ms. McCrea:

This letter provides notification to Ecology of Snohomish County's anticipated noncompliance with the Phase 1 NPDES municipal stormwater permit issued on January 17, 2007. This notification is provided in accordance with General Condition 20 of the permit. Specifically, we anticipate that we will be unable to adopt the regulations pertaining to new development and redevelopment described in Special Condition S5C5 of the permit by October 23, 2008. This deadline was set forth in the letter sent to Snohomish County from your agency on July 2, 2008.

At a meeting on July 10, 2008, attended by staff from Ecology and the Phase 1 municipal stormwater permittees, most permittees noted their inability to meet their respective deadlines for adopting these codes and the associated equivalent stormwater manuals, due to the legal and administrative processes local governments must follow. These issues are further complicated by Ecology's requirement to officially modify the NPDES permit to allow the use of approved equivalent stormwater manuals. All of this was discussed at length at the July 10 meeting.

We continue to work diligently on preparing the required revisions to our codes, engineering standards, and drainage manual in consideration of the comments given by Ecology on our February 2008 draft submittal, and we intend to begin the official adoption process as soon as we can. In the mean time, if you wish to discuss this matter further, please contact Craig Ladiser, Director of Snohomish County Department of Planning and Development Services, at (425) 388-3122.

I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry

September 2, 2008
Rachel McCrea
Page 2

of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for willful violations.

Sincerely,

PETER B. CAMP
Executive Director


For Aaron G. Reardon
Snohomish County Executive

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|-----|-------------------------|---|
| cc: | Craig Ladiser | Director, Planning and Development Services (PDS) |
| | Steven E. Thomsen, P.E. | Director, Public Works (PW) |
| | Larry Adamson, AICP | Manager, PDS Planning Division |
| | Randy Sleight, P.E. | Chief Engineering Officer, PDS |
| | Linda Kuller, AICP | Chief Planning Officer, PDS |
| | David Brookings | Director, PW Surface Water Management Division |
| | Bill Leif, P.E. | PW Surface Water Management Division |